

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION  
File No. 1:22-CV-478**

<b>HAYDEN SCOTT ROSE,</b>  <b>Plaintiff</b>  <b>v.</b>  <b>PRESQUE ISLE VILLAS CONDOMINIUM HOMEOWNERS ASSOCIATION, Inc., PRESQUE ISLE VILLAS CONDOMINIUM HOMEOWNERS ASSOCIATION, Inc., BOARD OF DIRECTORS, COMMUNITY ASSOCIATION MANAGEMENT, Ltd., and BAGWELL HOLT SMITH, P. A.,</b>  <b>Defendants</b>	<b>JOINT RULE 26(f) REPORT</b>
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**JOINT RULE 26(f) REPORT**

1. Pursuant to Fed.R.Civ.P. 26(f) and L.R.16.1(b), a meeting was held on September 15, 2022, via telephone and was attended by M. Shane Perry, Esq. for Plaintiff; Russell M. Racine, Esq. for Defendant Bagwell Holt Smith, P.A. and Bridget L. Baranyai, Esq. for Defendants Presque Isle Villas Condominium Homeowners Association, Inc.; Presque Isle Villas Condominium Homeowners Association, Inc., Board of Directors and Community Association Management, Limited.
2. Discovery Plan: The parties propose to the Court the following discovery plan: The commencement date of discovery will be upon the entry of the Court's Order pertaining to the pending dispositive motion in whole or in part. Specifically, the parties have agreed to postpone the taking of depositions and the exchange of written discovery responses until the pending dispositive motion is resolved.
3. Discovery will be needed on all matters alleged in the complaint, counterclaims asserted by the parties, all affirmative defenses and Plaintiff's alleged damages.
4. Pursuant to L.R. 26.1, the Parties agree that the appropriate plan for this case is that it should be designated as Complex.
5. The date for the completion of all discovery (general and expert) is TBD based upon the date of disposition of the pending dispositive motion.

6. At this time, the Parties have no stipulated modifications to the case management track but agree to meet and confer regarding proposed modifications.

7. Reports required by Rule 26(a)(2)(B) and disclosures required by Rule 26(a)(2)(C) are due during the discovery period:

From Plaintiff(s) by: TBD based upon the date of disposition of the pending dispositive motion.

From Defendant(s) by: TBD based upon the date of disposition of the pending dispositive motion.

*Supplementations will be as provided in Rule 26(e) or as otherwise ordered by the court.*

8. Mediation should be conducted *midway* in the discovery period, the exact date to be set by the mediator after consultation with the parties. The parties agree that the mediator shall be Wayne Huckel, subject to availability.

9. Preliminary Deposition Schedule. Preliminarily, the parties agree to the following schedule for depositions: TBD based upon the date of disposition of the pending dispositive motion. The parties agree to meet and confer to update this schedule at reasonable intervals.

10. Other Items:

- Plaintiffs should be allowed until TBD based upon the date of disposition of the pending dispositive motion to request leave to join additional parties or amend pleadings.
- Defendant should be allowed until TBD based upon the date of disposition of the pending dispositive motion to request leave to join additional parties or amend pleadings.

*After these dates, the Court will consider, inter alia, whether the granting of leave would delay trial.*

11. The parties have discussed special procedures for managing this case, including reference of the case to a Magistrate Judge on consent of the parties under 28 U.S.C. §§636(c), or appointment of a master. The Parties *do not consent* to a Magistrate Judge's authority in this matter.

12. Trial of the action is expected to take approximately three (3) days. A jury trial has been demanded.

13. The parties discussed whether the case will involve the possibility of confidential or sealed documents. The Parties agree that this case may involve confidential or sealed documents and the parties have separately filed a L.R. 5.5 Report.

Date: September 19, 2022

Respectfully Submitted,

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